

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

August 2019

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STATE OF MAINE

129TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Veterans and Legal Affairs

a direct initiative of legislation. The funding process is similar to that provided for clean election candidates under the Maine Revised Statutes, Title 21-A, chapter 14. It provides for limits on the amount of funds that committees seeking public funding may raise and spend prior to qualifying for public funding and the amount of qualifying contributions that a committee must raise to be certified to receive public funding, and it establishes the amounts that certified committees may receive. It also establishes procedures governing financial reporting and accounting, appeals of decisions, penalties for violations and other procedural matters to ensure the integrity of the process. In addition to other available funds, including qualifying contributions raised by committees and voluntary contributions through a tax checkoff program, funding for certified committees is provided by an annual appropriation of \$3,000,000.

Committee Amendment "A" (H-318)

This amendment, which is the minority report of the committee, makes technical changes to the Maine Citizens' Initiatives Clean Election Act established in the bill. The amendment clarifies that a ballot question committee that wishes to participate in the Act and that supports a direct initiative or people's veto may, in addition to collecting seed money contributions, collect a limited amount of contributions and make a limited amount of expenditures specifically for the purposes of gathering signatures on the ballot question petition. The amendment clarifies that a ballot question committee that wishes to participate in the Act may be involved in collecting signatures for only one ballot question at a time and may not expend any revenues distributed from the Maine Citizens' Initiatives Clean Election Fund on signature-gathering activities.

The amendment further provides that the qualifying period, during which ballot question committees may collect qualifying contributions for certification under the Act, commences for all committees on the date that an application to initiate proceedings for a direct initiative or people's veto is filed with the Secretary of State under the Maine Revised Statutes, Title 21-A, section 901.

The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1619 An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption

**PUBLIC 167
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L	OTP-AM	S-92

This bill gives a municipality the option of conditioning its approval of a particular Class X liquor license issued to a Class A lounge on the exclusion of a type of liquor from sale by the licensee.

Committee Amendment "A" (S-92)

This amendment clarifies that a municipality may impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class X licensee when the municipality considers an application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

Enacted Law Summary

Public Law 2019, chapter 167 authorizes a municipality to impose a condition limiting the types of liquor that may be sold for consumption on the premises of a particular Class A lounge when the municipality considers the lounge's application for a new or a renewed Class X license under the process established in the Maine Revised Statutes, Title 28-A, section 653.

Joint Standing Committee on Veterans and Legal Affairs

Public Law 2019, chapter 167 was enacted as an emergency measure effective May 30, 2019.

LD 1621 An Act To Allow Delivery of Adult Use Marijuana and Adult Use Marijuana Products by an Approved Marijuana Store

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HANDY J		

This bill amends the Marijuana Legalization Act to allow delivery of adult use marijuana and adult use marijuana products by a marijuana store if the municipality or town, plantation or township in which the marijuana store is located authorizes the operation of delivery services and the marijuana store receives approval to operate the delivery service from the Department of Administrative and Financial Services. A marijuana store is allowed to maintain a separate storage facility approved by the department in which to store product or from which to conduct delivery service operations and which may be located in the same municipality as the retail facility of the marijuana store or another municipality subject to the approval of the other municipality. Delivery services are subject to the same testing, tracking, labeling and packaging requirements as retail sales of adult use marijuana and marijuana products, delivery service drivers are subject to the same requirements as the employees of a marijuana store, delivery recipients are subject to the same customer restrictions regarding age and state of intoxication as marijuana store customers and delivery service vehicles are subject to the same inspection requirements as the marijuana store's licensed premises and may not have an occupant under 21 years of age during the course of a delivery.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1626 An Act To Implement a Presidential Primary System in Maine

PUBLIC 445

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L HICKMAN C	OTP-AM ONTP OTP-AM	S-186

This bill, which was submitted by the Secretary of State pursuant to Joint Rule 204, implements a presidential primary election to be held on the first Tuesday after the first Monday in March of the presidential election year, and provides a process for the parties to participate if they certify to the Secretary of State by November 1st of the year prior to the presidential election year that they have a contest among candidates for nomination.

Committee Amendment "A" (S-186)

This amendment, which is the majority report of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, by December 1st of the year prior to a presidential election year, a party must notify the Secretary of State whether unenrolled voters are eligible to vote in the party's presidential primary election. The amendment also corrects cross-references in the bill.

Committee Amendment "B" (S-187)

This amendment, which is one of two minority reports of the committee, strikes the provision of the bill mandating that each party's presidential primary elections are closed to any voter not enrolled in that party. Under the amendment, an unenrolled voter may choose to vote in one party's presidential primary election. The amendment also corrects cross-references in the bill. This amendment was not adopted.